

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3053
)	
v.)	
)	
CHIEN HUNG NGUYEN, AARON)	MEMORANDUM AND ORDER
WILLIAM POLK,)	
)	
Defendants.)	

The defendants have moved to continue the pretrial motion deadline currently set for November 19, 2010. Filing Nos. 49 and 50. Defense counsel explain they need additional time to confer with the government regarding the discovery received before the defendants can determine whether pretrial motions should be filed. Based on the showing set forth in the defendants' motions, the court finds the motions should be granted.

IT IS ORDERED:

- 1) The defendants' unopposed motions to continue, (filing nos. 49 & 50), are granted and the defendants' pretrial motions and briefs shall be filed on or before December 10, 2010.
- 2) The ends of justice will be served by granting defendants' motions to continue the pretrial motion deadline, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motions, the time between November 19, 2010 and December 10, 2010, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of November, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge